

**BOARD OF NURSING
MEETING MINUTES
OCTOBER 10, 2013**

PRESENT: Julia Nelson, Julie Ellis, Carol Ott, Gretchen Lowe, Jeffrey Miller, Lillian Nolan,

ABSENT: Maria Joseph

STAFF: Dan Williams, Executive Director; Nicholas Tank, Bureau Assistant; Matt Guidry, Bureau Assistant; and other Department Staff

CALL TO ORDER

Julia Nelson, Chair, called the meeting to order at 8:01 a.m. A quorum of five (5) members was present.

ADOPTION OF AGENDA

- Item “K 15”)(Open Session) **ADD** the agenda item titled “K.15 - WCN Letter and Possible Press Conference Attendance”
- Page 2 of the Agenda: Under the topic titled “Deliberation of Proposed Stipulation and Final Decision and Order” replace
 - “12 NUR 300” with “13 NUR 300”
- Page 3 of the Agenda: Under the topic titled “Deliberation on Monitoring Matters” replace
 - “Cheryl Miller, R.N.” with “Cheryl Miller, L.P.N.”

MOTION: Jeffrey Miller moved, seconded by Gretchen Lowe, to adopt the agenda as amended. Motion carried unanimously.

REPORT OF LEGISLATION AND RULES COMMITTEE

COMMITTEE MOTION: Lillian Nolan moved, seconded by Jeff Miller to approve the rule making order amending N 7 relating to code of conduct for posting for economic comments and submission to Clearinghouse. Motion carried unanimously.

MOTION: Jeffrey Miller moved, for the adoption of the Legislation and Rules Committee’s recommendations. Motion Carried unanimously.

REPORT OF EDUCATION AND LICENSURE COMMITTEE

COMMITTEE MOTION: Julie Ellis moved, seconded by Gretchen Lowe, to recognize the appearance of Kay Tupala addressing the Board on behalf of Northeast Wisconsin Technical College. Motion carried unanimously

COMMITTEE MOTION: Julie Ellis moved, seconded by Gretchen Lowe, to grant Northeast Wisconsin Technical College's request for authorization to admit students for their Paramedic-to-ADN Program. Motion carried unanimously.

COMMITTEE MOTION: Julie Ellis moved, seconded by Gretchen Lowe, that the Education and Licensure Committee requests the Board of Nursing to take back total authority to conduct survey visits and write a report as prescribed in N441.01 and rule N1.02(13) to conduct survey visits to schools of nursing effective immediately. Also, the Education and Licensure Committee requests the Board of Nursing to request that a DSPS Staff Member accompany the survey team as a representative of the Department. Motion carried unanimously.

MOTION: Carol Ott moved, for the adoption of the Education and Licensure Committee's recommendations. Motion Carried.

APPROVAL OF MINUTES OF SEPTEMBER 12, 2013

MOTION: Lillian Nolan moved, seconded by Jeffrey Miller, to approve the minutes of September 12, 2013 as published. Motion carried unanimously.

ADMINISTRATIVE MATTERS

MOTION: Lillian Nolan moved, seconded by Jeffrey Miller, to change the meeting date from December 12th to December 19th 2013. Motion carried unanimously.

MOTION: Jeffrey Miller moved, seconded by Lillian Nolan, that Julia Nelson, Jeffrey Miller, and Lillian Nolan be appointed to the screening panel for November. Motion carried unanimously.

MOTION: Jeffrey Miller moved, seconded by Lillian Nolan, that Lillian Nolan, Julia Nelson, and Carol Ott be appointed to the screening panel for December. Motion carried unanimously.

Appointment of Liaisons

Education & Licensing Committee: Carol H. Ott, VACANT, Gretchen R. Lowe, Julie Ellis

Practice Committee: Julie L. Ellis, Maria Joseph, Lillian M. Nolan, Jeffrey G. Miller

Legislation and Administrative Rules Committee: Jeffrey G. Miller, VACANT, Lillian M. Nolan

Endorsements/Examinations/Credentialing Liaison: Julia Nelson

DLSC Monitoring Liaison: Jeffrey G. Miller; ALTERNATE: Julia A. Nelson

Legislative Liaisons: VACANT, Gretchen R. Lowe, Jeffrey G. Miller

Professional Assistance Procedure (PAP) Liaisons: Julia A. Nelson; ALTERNATE: Jeffrey G. Miller

Interstate Compact: Dan Williams

Education Review Liaison to the Office of Education and Examinations: Carol H. Ott;
ALTERNATE: VACANT

Practice Question Liaison: Julie L. Ellis; ALTERNATE: Julia A. Nelson

Screening Panel as Currently Determined by the Board: Carol H. Ott, Julia A. Nelson, Jeffrey G. Miller, Lillian M. Nolan

MOTION: Gretchen Lowe moved, seconded by Jeffrey Miller, to acknowledge the Chair's appointments. Motion carried unanimously.

LEGISLATION/ADMINISTRATIVE RULE MATTERS

MOTION: Jeffrey Miller moved, seconded by Carol Ott, that board approval under 441.12 references pre-licensure schools for Professional Nursing and Practical Nursing only. Motion carried unanimously.

MOTION: Jeffrey Miller moved, seconded by Carol Ott, for DSPS Staff to contact approved schools already in the application process for other nursing programs that further board approval is not required. Motion carried unanimously.

MOTION: Jeffrey Miller moved, seconded by Carol Ott, if the application process involves changes that alter the nursing program's compliance with ch. N 1, the school would have to submit form 3026 "Information Regarding Nursing Program Changes". Motion carried unanimously.

MOTION: Jeffrey Miller moved, seconded by Carol Ott, for DSPS Staff to contact schools that are only offering non pre-licensure nursing programs that board approval is not required. Motion carried unanimously.

MOTION: Julie Ellis moved, seconded by Lillian Nolan, to designate Gretchen Lowe to represent the Board of Nursing at the WCN Press Conference on October 18, 2013. Motion carried unanimously.

CLOSED SESSION

MOTION: Lillian Nolan moved, seconded by Jeffrey Miller, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85 (1)(b), Stats.); to consider closing disciplinary investigation with administrative warning (ss.19.85(1)(b), Stats. and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and, to confer with legal counsel (s.19.85(1)(g), Stats.). Julia Nelson read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote; Julia Nelson-yes; Gretchen Lowe-yes; Julie Ellis-yes; Lillian Nolan-yes; Jeffrey Miller-yes; and Carol Ott-yes. Motion carried unanimously.

The Board convened into Closed Session at 11:29 a.m.

DELIBERATION OF PROPOSED STIPULATIONS FINAL DECISIONS AND ORDERS

MOTION: Julie Ellis moved, seconded by Carol Ott, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in case number 12 NUR 362, Nancy A. Ogden, R.N. Motion carried unanimously.

MOTION: Lillian Nolan moved, seconded by Jeffrey Miller, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in case number 13 NUR 229, Virginia M. Capelle. Motion carried unanimously.

MOTION: Julie Ellis moved, seconded by Jeffrey Miller, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in case number; 12 NUR 607, and 12 NUR 300 Jessica L. Bergum, R.N.; 13 NUR 226, Joanne M. Peterson, R.N.; 13 NUR 283, Mary K. Appel, R.N.; 13 NUR 310, Tony B. Madigan, R.N.; 13 NUR 395 David A. Ortiz, R.N. Motion carried unanimously.

PROFESSIONAL ASSISTANCE PROCEDURE

MOTION: Julie Ellis moved, seconded by Jeffrey Miller, to affirm the denial of Jacqueline L. Kerchefski's request to apply for the PAP program. Motion carried unanimously.

CREDENTIALING MATTERS

Adam Bondy – R.N. Licensure by Examination Application

MOTION: Jeffrey Miller moved, seconded by Lillian Nolan, to grant Adam Bondy's request to sit for examination once all other requirements are met. Motion carried unanimously.

Jennifer Buffa – APNP Request for Certification as an APNP

MOTION: Jeffrey Miller moved, seconded by Lillian Nolan, to grant Jennifer Buffa's request for certification as an APNP once all other requirements are met. Motion carried unanimously.

Carmella Caceres – L.P.N. Licensure by Examination Application

MOTION: Jeffrey Miller moved, seconded by Lillian Nolan, to grant Carmella Caceres' request to sit for examination once all other requirements are met. Motion carried unanimously.

Jennifer Forster – R.N. Licensure by Examination Application

MOTION: Jeffrey Miller moved, seconded by Lillian Nolan, to grant Jennifer Forster's request to sit for examination once all other requirements are met. Motion carried unanimously.

Samantha Klaver – L.P.N. Licensure by Examination Application

MOTION: Jeffrey Miller moved, seconded by Lillian Nolan, to grant Samantha Klaver's request to sit for examination once all other requirements are met. Motion carried unanimously.

Sara Leverston – L.P.N. Licensure by Examination Application

MOTION: Jeffrey Miller moved, seconded by Lillian Nolan, to grant Sara Leverston's request to sit for examination once all other requirements are met. Motion carried unanimously.

Garrett Tetzlaff – R.N. Licensure by Examination Application

MOTION: Jeffrey Miller moved, seconded by Lillian Nolan, to grant Garrett Tetzlaff's request to sit for examination once all other requirements are met. Motion carried unanimously.

John Wierzchowski – L.P.N. Licensure by Examination Application

MOTION: Jeffrey Miller moved, seconded by Lillian Nolan, to grant John Wierzchowski's request to sit for examination once all other requirements are met. Motion carried unanimously.

David Wolk – R.N. Licensure by Examination Application

MOTION: Jeffrey Miller moved, seconded by Lillian Nolan, to grant David Wolk's request to sit for examination once all other requirements are met. Motion carried.

Comfort James – R.N. Licensure by Endorsement Application

MOTION: Jeffrey Miller moved, seconded by Gretchen Lowe, to grant a license by endorsement to Comfort James once all other requirements are met. Comfort James is licensed in Maryland which required verification of English competency. DSPS has evidence in the application file that she has graduated from a school of professional nursing in the country of her original license. Motion carried unanimously.

Jade Meiselwitz – L.P.N.. Licensure by Endorsement Application

MOTION: Lillian Nolan moved, seconded by Jeffrey Miller, to deny Jade Meiselwitz's application for endorsement. **REASON FOR DENIAL:** Convictions are substantially related to the Practice of Nursing. There is no evidence of rehabilitation which can create a danger to patients. Motion carried unanimously.

Nicole Penass – L.P.N. Licensure

MOTION: Carol Ott moved, seconded by Jeffrey Miller, that DSPS Staff draft a letter to Nicole Penass advising her that her application was denied in January, 2013 and include with that letter a copy of the original denial letter and advise Nicole Penass of her option to reapply. Motion carried unanimously.

MONITORING

Cheryl Miller, L.P.N. – Requesting Return to Full License

MOTION: Carol Ott moved, seconded by Lillian Nolan, to grant the request of Cheryl Miller, L.P.N. for return to full license. Motion carried unanimously.

Shalonda Myles, R.N. – Requesting Full Reinstatement

MOTION: Gretchen Lowe moved, seconded by Julie Ellis, to grant the request of Shalonda Myles, R.N. for full reinstatement. Motion carried unanimously.

Hedy Klinger, R.N. – Requesting Reduction of Screen Frequency and Termination of Therapy

MOTION: Jeffrey Miller moved, seconded by Gretchen Lowe, grant the request of Hedy Klinger, R.N. to terminate therapy and to deny the request for reduction of screen frequency. **REASON FOR DENIAL:** Insufficient evidence of compliance with the order secondary to the positive drug screens in 2013. Motion carried unanimously.

Krista M. (Demoske) Wichman, R.N. – Requesting Reinstatement For Full Licensure

MOTION: Jeffrey Miller moved, seconded by Lillian Nolan, to grant the request of Krista M. (Demoske) Wichman, R.N. for reinstatement for full licensure. Motion carried unanimously.

Julie A Wilcox, R.N. – Requesting Access to Controlled Substances and Termination of Direct Supervision Requirement

MOTION: Julie Ellis moved, seconded by Jeffrey Miller, to deny the request of Julie A Wilcox, R.N. for access to controlled substances and termination of direct supervision requirement. REASON FOR DENIAL: Insufficient evidence of compliance with the order secondary to the positive drug screens in 2013. Motion carried unanimously. Motion carried unanimously.

CASE CLOSINGS

MOTION: Gretchen Lowe moved, seconded by Lillian Nolan, to close case number #13 NUR 362 (T.L.) for Insufficient Evidence (IE). Motion carried unanimously.

MOTION: Lillian Nolan moved, seconded by Jeffrey Miller, to close case number #13 NUR 425 (D.S.) for No Violation (NV) Motion carried unanimously.

MOTION: Gretchen Lowe moved, seconded by Lillian Nolan, to close case number #13 NUR 418 (B.H.) for Lack of Jurisdiction (L1) Motion carried unanimously.

MOTION: Jeffrey Miller moved, seconded by Julie Ellis, to close case number #13 NUR 406 (M.K.) for Lack of Jurisdiction (L1) Motion carried unanimously.

MOTION: Lillian Nolan moved, seconded by Julie Ellis, to close case number #13 NUR 398 (P.B.) for Insufficient Evidence (IE) Motion carried unanimously.

MOTION: Jeffrey Miller moved, seconded by Gretchen Lowe, to close case number #13 NUR 112 (K.G.) for Prosecutorial Discretion (P7) Motion carried unanimously.

RECONVENE TO OPEN SESSION

MOTION: Jeffrey Miller moved, seconded by Lillian Nolan, to reconvene into open session. Motion carried unanimously.

The Board reconvened into Open Session at 2:27 p.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION

MOTION: Gretchen Lowe moved, seconded by Jeffrey Miller, to affirm all motions made in closed session. Motion carried unanimously.

ADJOURNMENT

MOTION: Carol Ott moved, seconded by Jeffrey Miller, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 3:15 p.m.

DRAFT